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UNCLAS RANGOON 001174

SIPDIS

STATE FOR EAP/MLS; PACOM FOR FPA

E.O. 12958: N/A

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SUBJECT: GOB GETS REVENGE FOR FORCED LABOR CONVICTIONS

REF: RANGOON 178 AND PREVIOUS

1. SUMMARY: Ma Su Su Nway, an NLD youth member who successfully sued local Burmese officials last January for subjecting local residents to forced labor, was herself counter-sued in the same court, and on October 13 was sentenced to 18 months in prison. Her supporters, including renowned student leaders Min Ko Naing and Ko Ko Gyi, turned out in significant numbers for her sentencing, forcing the authorities to escort her to court under heavy security, lest any disturbances erupt. The GOB appears to be turning the clock back on what had been considered gains in efforts to stamp out forced labor. END SUMMARY.

2. On October 13, Kawhmu Township Court, Rangoon Division sentenced NLD member Ma Su Su Nway to 18 months in prison. Her legal counsel had expected only a 7-day sentence and a possible fine.

3. On January 31, in the same court, she had successfully sued local Kawhmu authorities, whom the court convicted and sentenced to 8-month jail terms for using local residents to do forced labor. Another official, U Kyaw Lwin, though not named in her initial suit, counter-sued her on April 21, resulting in this conviction. His suit came after Kyaw Lwin and another official loudly denounced Su Su Nway at a public bus station in her presence, following the convictions of local officials. She defended herself and in the ensuing altercation, both sides hurled invectives and cursed each other. Judge Htay Htay Win charged her under Section 294 for allegedly cursing at local officials in public, and Section 506 for threatening a government official.

4. A surprisingly large crowd of 150-200 supporters from her village attended the court hearing and announcement of the verdict. The courtroom was packed and many more spectators gathered outside. Nine former student leaders, including past political prisoners Min Ko Naing and Ko Ko Gyi, turned up to show their support for Su Su Nway. Worried about a possible outbreak of disturbances, the authorities escorted Su Su Nway under heavy security. As she left the court Min Ko Naing, Ko Ko Gyi, and the local NLD MP-elect escorted her to the waiting police vehicle while the crowd showered her with flowers. Three policewomen and two policemen drove her away to Insein Prison.

5. COMMENT: Landmark forced labor convictions in this same court earlier this year gave hope that the GOB would finally take action against local authorities who abused citizens. Clearly the authorities have had second thoughts. This verdict against a woman who dared to stand up to local authorities and successfully sued them in court effectively discourages others who had hoped to seek legal redress against abusive authorities. END COMMENT.
Villarosa